

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

United States of America,

Plaintiff

v.

Yared Retta,

Defendant

2:15-cr-00009-JAD-VCF-1

**Order Denying Government's Motion
to Extend Time [ECF 51]**

Yared Retta stands charged with one count of being a felon in possession of a firearm.¹ Retta moves to suppress any tangible evidence seized—including the gun that forms the basis for his charge—and any statements made as a result of his allegedly unlawful search and seizure.² Following an evidentiary hearing, Magistrate Judge Cam Ferenbach issued a report recommending that I deny Retta's motion to suppress.³ The stipulated deadline to file objections to Judge Ferenbach's report and recommendation was October 2, 2015. Retta timely objected.⁴ The government now seeks to extend its deadline to respond to Retta's objections;⁵ Retta opposes extension.⁶

The government seeks an extra 14 days to file its response. The government argues that it needs a transcript of the evidentiary hearing—which it timely requested but has not yet received—in

¹ ECF 1.

² ECF 20.

³ ECF 45.

⁴ ECF 50.

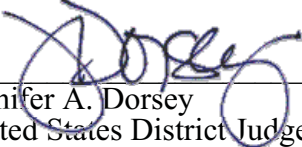
⁵ ECF 51

⁶ ECF 53.

1 order to respond to Retta's objections.⁷ Retta opposes the government's request. He argues that a
2 transcript of the hearing is not necessary; the government can simply use the audio recording from
3 the hearing and then supplement its response once it receives the transcripts, if necessary. I agree.
4 The government has ample resources with which to respond to Retta's objections—including an
5 audio recording of the hearing—and the government can supplement its response once it has the
6 transcripts, if truly necessary. Additionally, trial is just over one month away. Retta is in custody
7 and fears that his trial dates will be continued if his objections are not timely resolved.⁸ For these
8 reasons, I find that an extension is not appropriate.

9 Accordingly, IT IS HEREBY ORDERED that the government must file any response to
10 Retta's objections [ECF 50] to Magistrate Judge Ferenbach's Report and Recommendation [ECF 45]
11 by **October 29, 2015**.

12 Dated this 26 day of October, 2015

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15 Jennifer A. Dorsey
16 United States District Judge
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27 ⁷ ECF 51 at 2.

28 ⁸ ECF 52 at 1–2.